Previous references.

File no 103 — 03
Sls 1-7. B Dec 1904.

1905.

(III Courts)

File No. 44 —05

Serial Nos. 1 — 4

Later references.

III ch 12 of 06-07 sls 1+2
B. August 06.
cs 349-12 (1-5) 7.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1 — 4

Part B. for November 1905.

SUBJECT.

Small Cause jurisdiction of Sub judges.

FILE No. 44 of 1905-06.

Small Cause Jurisdiction of the Sub-Judges.

1 From the Registrar of the Chief Court of Mysore, No. 899—43, dated the 1st August 1905.
Forwards a statement of Small Cause suits of the value of and above Rs. 100 and those below Rs. 100 filed in the several Sub-Judges' Courts during the year 1904-05, together with the number of each group that came up to the Chief Court in revision.

2 To the same officer, No. J. 445—C. 44-2, dated 11th August 1905.
Requests him to furnish information as to the result of the revision cases.

3 From the Registrar of the Chief Court of Mysore, No. 1434—62, dated 28th August 1905.
States that of the Small Cause suits filed during 1904-05, only six of the value of less than Rs. 100 and nine of the value of and above Rs. 100 came up in revision to the Chief Court; that nine of these were rejected and three are pending, that in two of these cases the decision was confirmed and in one it was reversed.

4 To the Registrar of the Chief Court and the Deputy Commissioners of Hassan and Shimoga, Government Proceedings No. J. 1296-8—C. 44-4, dated 10th November 1905.
States that the Small Cause jurisdiction of the Sub-Judges of Hassan and Chikmagalur will be reduced to Rs. 100 when the present incumbents of those offices are relieved of their charges.

B. December 1904. Sls. 1—7. Ct. F. No. 103 of 1903-04.

G. R

G. R. S. 11] 1905.

GENERAL AND REVENUE SECRETARIAT

(Courts)

NOTES.

File. No 44.

FILE HEADING.

Small Cause jurisdiction of the Subordinate

From

The Registrar of the Chief Courts of Mysore

No. 855/43. Dated 1/8/05 Received 5/8/05

Diary No. 1327 | Enclos. one | Spare Copies. — | Serial No. 1

BRIEF ABSTRACT OF LETTER.

Forwards a statement of the small Cause suits of the value of & above Rs 100/- & those below Rs 100/- filed in the several Subordinate Courts during the year 1904-05. together with the number of each group that Came up to the chief Court in revision.

NOTES AND ORDERS.

This Statement was called for with a view to consider ~~the~~ the advisability of withdrawing the Small Cause jurisdiction of the Subordinate Courts, which is complained to have been pitched too high-

vide office note sheets put up). Put 9/1/34

B Rice 17/8/05

H O

NOTES—First sheet.

MGCPB—30,000—17-2-05.

G.R.S. 12]
General and Revenue Secretariat.

File No. 44 of 1905

Serial No.

Suits of the value of less than Rs 1000/- filed in the Several Subordinate Courts during 1904-05 and 14 went up to the Chief Ct in revision - as per following particulars :—

		No filed	No Came up in revision
Subordinate Court,	Bangalore	461	11
do	Mysore	180	"
do	Hassan	452	"
do	Chickmagalur	360	3
Late do	Chitaldrug	229	"
Subordinate Court	Shimoga	50	"
		1736	14.

And out of 765 Cases of the value of above Rs 1000/- filed, 15 seem to have gone up in revision as below :—

Subordinate Court	Bangalore	399	14
"	Mysore	8	Nil
"	Hassan	155	1
"	Chickmagalur	122	"
"	Shimoga	"	"
Late "	Chitaldrug	80	"
		765	15.

Submitted to the 8/8/05 Ask for information as to the result of the revision cases — 8/8/05

Submitted with a draft docket 8/8/05 Docket 9/8/05

CR 9/8/05 Draft docket

2 2 The Registrar of the Chief Ct. Bangalore 8/11/1905

* Papers under disposal - 3 From the Registrar of the Chief Ct No 1434 of 28/8/05 of the same case with file extract 1904-05 Extract shows that only 6 small cause suits

NOTE—Contn. sheet.

IGCPB—20,000—1-11-04.

G.R.S. 12]
General and Revenue Secretariat.

File No. 46 of 1905

Serial No.

of the Value of less than Rs 100/- & 9 of the Value of & above Rs 100/- Came up in revision to the Chief Ct. & that of these 15 revision petitions, 9 were rejected, 3 are pending, in 2 the decision of the lower Court was confirmed & in one the Decision was reversed.

52 In the Statement which was first sent ~~Cases that were of~~ the No. of Cases that Came up in revision was shown as 14 & 15. The Chief Ct was Competent to of the Value of less than 100 & 9 of the Value of & above Rs 100 Came up in revision during 1904-05.

4/9/05 4/9/05

4-9-05

6 cases of the kind referred to are not many & the Chief Court opines that the Sub Judges have not misused the powers vested in them.

Submitted to the Dewan Saheb thro the 1st Councillor. The enquiry emanated on a motion made in the Representative assembly that the pecuniary jurisdiction of the Small cause Sub Judges had been fixed too high viz 300 Rs.

355
5-9-1905

5/9/1905 8

Under the circum-

MGCPB—20,000—1-11-04.

Serial No.

a cancer rebooted, the powers already conferred upon our present Subordinate Judges need not, & Kenth, be reduced In future the case of future investments the amount may be reduced to from Rs 300? 100 & Rs 200 according to the merits of the officers concerned. The law (Section 60 of the Civil Courts Regulation) merely lays down the maximum — C.

6/9/05

6.9.1905

9 Mustafa has repeatedly interrupted the Representative making & it is desirable that he might be heard well discussed & dealt with by His Highness. In my humble opinion it is a fit subject to be referred to the Council

8.IX.05 (Illegible)

2nd Councillor's opinion

I. Seen (2nd) C.M. 24/9/05

8 5 3/4 7.9.05.

NOTE—Contn. sheet.

MGCPB—50,000—17-2 05

Courts 44-05

Submitted to His Highness.

11 There has been a general complaint that the Small Cause Jurisdiction of Sub Judges is pitched too high, and that a reduction of the same is desirable.

12 The statistics go to show that out of 1734 suits of the value of less than Rs 100, filed before the several Sub Judges Courts during the last year, only 6 went up to the Chief Court in revision, and out of 769 of the value of and above Rs 100, only 9 came up in revision. Of these, 9 were rejected, 3 are pending, in 2 the decision of the lower Court was confirmed and in 1 the decision was reversed.

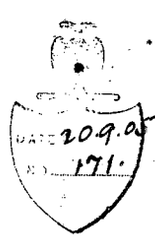
13 Though the statistics so far support the view of the Chief Court that no grounds exist for a change, the public opinion is very strong against it. The matter seems to be of sufficient importance to be well discussed in the Council and dealt with by His Highness.

Courts 44-05

Record of Case submitted for the orders of His Highness the Maharaja.

Subject.

Reduction of Small Cause Jurisdiction of Sub Judges.



Order.

15 Approved

~~K H W~~

15/9/05

16 Welcome

19/9/05

Mandapade

H. Council

21.9.1905

21-9-05

Courts 44-05

8

Extract from the Proceedings of the 115th Meeting of the Council of His Highness the Maharaja, held at Bangalore on the 27th Septr 1905.

VII. Subject--(Clause XII of the Schedule)

Reduction of Small Cause Jurisdiction of Sub Judges.

Opinions of the Dewan and Councillors.

17 When the present Subordinate Judges of Chikkamagalur and Hassan are relieved of their charges, the Small Cause Juriodiction of these Courts may be reduced to Rs. 100/-

(Signed) P. N. Krishna Murti
Dewan of Mysore

14.10.05
Secretary

Court 4-05 9

Submitted to His Highness.

18 As directed in His Highness' orders of the 15th September, the question of the proposed reduction of the Small Cause Jurisdiction of Sub-Judges, was further considered in the Council and it was resolved to reduce the Small Cause Jurisdiction of the Sub-Judges of Chikmagalur and Hassan to Rs 100, when the present Judges are relieved of their charges. This may be approved.

A

19.X.05 (illegible)

Courts 44-05 10

Record of Case submitted for the orders of His Highness the Maharaja.

Subject.

o.

Reduction of Small Cause Jurisdiction of the Sub Judges of Chikkamagalur and Hassan.

Order.

19 Pages

~~KRW~~

26/10/05

20 Orders
Hampapur 27.X.05

Prof. Acct
2.11.'05

DPMM
2-11-05

Courts 44-05 * 11

G.R.S. 12]

General and Revenue Secretariat. | Ⓐ File No. 46 of 1905-06.

Serial No.

2 Draft Sub
MS SW
8/11/05

Secy
11/11/05

21 Passed
8.11.1905

4 ... Govt. Proc No. J.1256-8/C 44-4 of the 10th Nov 1905, to the Regr of the Chief Ct, & the Dcommrs of Hassan & Shimoga Districts

States that ~~the Govt have resolve~~ the ~~cancel~~ jurisdiction of the Subordinate Judges of ~~Chikmagalur & Hassan~~ will be reduced to Rs 1000/- when the pecuniary incumbents of those Offices are relieved of their charges.

NOTE.—Contn. sheet.]

MGCPB—50,000—17-2-05

N 899 In. 1
43

C 2 44-08-1

J327

Bangalore 1st August 1905.

From

V. A. Rajaratna Moodaliar Esquire,
Repetar Chief Court of Mysore

To,

III Courts
5/8/05

B. K. Venkataramaniengar Esquire,
Secretary to the Government of Mysore
General and Revenue Depts

Sir,

Adverting to Government Proceedings No 1561 C 103-03-04 dated 16th December 1904, I am directed to forward herewith a statement showing separately the Small Cause suits of the value of Rs 100/- and above and those below Rs 100/- filed in the several Sub Judge's Courts during the year 1904/05, together with the number of each group that came up to this Court in revision from the respective Courts.

7 l 0
pages 18 11
S.N. 6

I have the honor to be,

Sir

Your most Obedient Servant.

V Rajaratnam

Repetar.

Cy

Statement showing separately the Small Cause suits of the value of Rs 100/- and above and those below Rs 100/- filed in the several Sub Judge's Courts during 1904/05, together with the no of each group that came up to this Court in revision from the respective Courts.

Name and Locality of the Courts.	Number of Small Cause suits, value below Rs 100/-		Number of Small Cause suits of the value of Rs 100/- and above.		Remarks.
	Filed	Came up to this Court in revision	Filed	Came up to this Court in revision	
Sub Judge's Court Bangalore	461	11	399	14	
— do — Mysore	180	.	3	.	This Court has no jurisdiction above Rs 100
— do — Kolar	454	.	155	1	
— do — Chickmagalur	360	3	122	.	
Lake — do — Chitaldroog	229	.	90	.	
Sub Judge's Court Shimoga	50	.	.	.	
Total	1734	14	769	15	

Chief Court of Mysore,
Bangalore 1st August 1905

C. Rayakotturnad
Registrar.

G.R.S. 26]

3

Cb

File No. 44

Serial No. 2

*Diary No. of letter replied to*_____

No. 9415 Dt. 11. 8. 05

General and Revenue Secretariat

( )

, *the* 190 .

Date of issue 11. 8. 1905

Signed by Mr. K. S. Lokendrasekhara Aiyar.

To

The Registrar of the Chief Court of Mysore.

Adverting to the Registrar's letter no. 899/43 dated the 1st August 1905, forwarding a statement showing separately the small cause suits of the value of Rs 100/- and above and those below Rs 100/- filed in the several Sub-Judges' courts during the year 1904-05, together with the number of each group that came up to the Chief Court for revision, has the honour to request the Registrar to add information as to the result of the said revision cases.

By Order,

for Secy.

SS 9/8/05

By Secretary.

SUBJECT.

No. 1434 Jn. one
62

Sl. No 3
File No 446

J 552

Bangalore 28th August 1905

From,

V. A. Rajaratna Mooddliar Esqre
Registrar, Chief Court of Mysore

To,

B. K. Venkataraja Aiengar Esquire
Secretary to Government of Mysore
General & Revenue Depts

III Cross
Jun
1-906

Sir,

Adverting to your docket No 1445 Courts 44.2
dated 11th Instant, I am directed to forward
revised statement and to state that only
6 civil cause suits of the value of less
than Rs 100/- and 9 of the value of Rs
100 and above filed during the year
1904-05 came up in revision to this
Court. In the statement sent with
this office No 899/43 dated the 1st Instant
suits of previous years which came up
in revision during 1904-05 were wrongly
included in the figures of the Bangalore

Sub

Sub Court. Of the 15 revision petitions 9 were rejected 3 are pending in 2 the decision of the lower court was confirmed and in one the decision was reversed.

I have the honor to be,
Sir,
Your most Obedient Servant

Registrar.

Enq

Statement showing separately the Small Cause suits of the value of Rs 100/- and above and those below Rs 100/- filed in the several Sub Judge's Courts during 1904/05, together with the number of each group that came up to this Court in revision from the respective Courts.

Name and locality of the Courts.	Number of Small cause suits, value below Rs 100/-		Number of Small Cause suits of the value of Rs 100/- and above.		Remarks.
	Filed.	Came up to this Court in revision	Filed.	Came up to this Court in revision.	
Sub Judge's Court Bangalore	461	3	399	6	
do Mysore	180	"	3	"	This Court has no jurisdiction above Rs 100/-
do Kapan	454	"	155	3	
do Chickmagalur	360	3	122	"	
Sub do Chitaldroog	229	"	90	"	
Sub Judges Court Shimoga	50	"	"	"	
Total	1734	6	769	9	

Registrar

G.R.S. 28]

7

Covers

File No. 44 of 05

Serial No. A

Diary No. of letter replied to ———

Proceedings of the Government of His Highness the Maharaja of Mysore.

GENERAL AND REVENUE SECRETARIAT.

( )

the 190

Date of issue 10-11-05

Signed by Dy. Secretary

READ.—

Correspondence ending with letter No. 1434/62 of the 28th August 1905 from the Registrar of the Chief Court of Mysore, forwarding with reference to Govt. Proc. No. J 1561 dated 16th Dec. 1902 a statement showing the number of the Small Cause suits of the value of and above Rs 100 and of those below Rs 100/- filed in the several subordinate Courts during the year 1902-03 together with the number of each group that came up to the Chief Court in revision and

over

ORDER THEREON.—No.

SUBJECT

Civil Suits in revision.

Vide Mercantile Jo. 1296-8
of 10.11.05

The complaint that the small Cause jurisdiction of the Subordinate Courts is pitched too high and that a reduction of the same is desirable has been repeatedly brought before the Government by the members of the Representative Assembly and by numerous petitions.

2. The statistics for the year 1904-05 collected so far show that out of 1934 suits of the value of less than Rs 100 filed in the several Sub Courts during the year 1904-05 only 6 went up to the Chief Court in revision & that out of 965 suits of the value of & above Rs 100/- only 5 & went up in revision. Of these 5 were rejected, 3 were pending; in 2 the decision of the lower Court was confirmed & in one the decision was reversed.

3).

G.R.S. 27]

GENERAL AND REVENUE SECRETARIAT.

(*Continuation Sheet draft form.*)

3. Though the Statistics ~~seem~~ tend to show that no grounds exist for any change, the public opinion ~~is~~ is very strong against the existing ~~small~~ high limit of the Civil jurisdiction of the Sub Courts.

4. Under these circumstances the Government ~~direct~~ have resolved that the Civil jurisdiction of the Subordinate Courts of Chickmagalur & Hassan be raised to Rs 1000/- when the present ~~Judges~~ incumbents of those offices are relieved of their charges.

Print

8.11.05

Secretary

To the Registrar of the Chief Ct

The Dy Comrs of Hassan & Chickmagalur for communication to the members of the Bar

To the Asst Secretary in charge of the Legislative Assembly Report Section

By order

Secretary

8/11/05

Copied 9.11.05

Examined 9-11-05